

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

X

MICHAEL T. DOLAN,

Plaintiff,

ORDER

- against -

CV 03-3285 (DRH) (AKT)

FAIRBANKS CAPITAL CORPORATION, a
Utah corporation, and PMI MORTGAGE
INSURANCE COMPANY, WALNUT CREEK,
CA,

Defendants.

X

A. KATHLEEN TOMLINSON, Magistrate Judge:

Before the Court are Plaintiff's unresolved objections to Defendant PMI Mortgage Insurance Company's ("PMI's") responses to Plaintiff's First Set of Interrogatories. On December 5, 2007, I ordered all the parties to participate in a telephone conference to confer, in good faith, regarding any issues they may have with their discovery requests or responses in an effort to resolve those issues [DE 140]. Following such telephone conference, both Defendants filed letter reports stating that Plaintiff's issues with Defendants' discovery responses had been resolved, and that Plaintiff had agreed to amend his responses to Defendants' discovery demands [DE 150, 151]. Plaintiff, however, filed a letter under seal stating that he still had numerous unresolved issues with both Defendants' responses to his discovery demands. On December 17, 2007, Defendant PMI filed a letter stating that it had received Plaintiff's amended responses to its discovery demands, and that this response remained unacceptably deficient [DE 153]. The parties appeared before the Court on December 18, 2007 to discuss these unresolved issues.

The Court heard argument regarding the sufficiency of PMI's responses to Plaintiff's

First Set of Interrogatories. After lengthy discussions, Plaintiff stated that he had no further unresolved objections to PMI's responses to Plaintiff's Interrogatory Numbers 1, 4, 6, 7, 9, 11, 12, 14-16, 21, and 22, and that PMI's responses to these interrogatories were adequate. Plaintiff indicated that he had outstanding objections as to the sufficiency of PMI's responses to his remaining interrogatories. After considering the arguments of all parties, it is hereby

ORDERED, that Defendant PMI has sufficiently answered Plaintiff's Interrogatory Numbers 2, 3, 5, 8, 10, 13, 17, 18, 19, and 20, and need not make any further responses, and it is hereby

ORDERED, that the parties appear for a telephone conference to continue discussing the remaining unresolved discovery issues on December 19, 2007 at 3:30 p.m.

SO ORDERED.

Dated: Central Islip, New York
December 18, 2007

/s/ A. Kathleen Tomlinson
A. KATHLEEN TOMLINSON
U.S. Magistrate Judge